

#### **Planning Commission Agenda**

Meeting of September 14, 2015 Council Chambers, Civic Center 1243 National City Boulevard National City, CA 91950

Welcome to the Planning Commission meeting. The National City Planning Commission conducts its meeting in the interest of community benefit. Your participation is helpful. These proceedings are video recorded.

#### Roll Call

Pledge of Allegiance by Commissioner DelaPaz

#### **Approval of Minutes**

1. Approval of minutes from the Meeting of August 3, 2015

#### Approval of Agenda

2. Approval of Agenda for the Meeting on September 14, 2015.

#### ORAL COMMUNICATIONS (3 MINUTE TIME LIMIT).

NOTE: Under State law, items requiring Commission action must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature.



The Planning Commission requests that all cellphones, pagers, and/or smart devices be turned off during the meeting.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the Planning Department at (619) 336-4310 to request a disability-related modification or accommodation. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

#### **PRESENTATIONS**

- 3. Brown Act Presentation
- 4. Update on Smart Growth Grants

#### **PUBLIC HEARINGS**

- 5. Conditional Use Permit for a Wireless Communications Facility at 116 National City Blvd. (Case File No: 2015-15 CUP)
- 6. Resolution 2015-17 taking action on a Conditional Use Permit for a Wireless Communications Facility at 116 National City Blvd. (Case File No: 2015-15 CUP)

#### **OTHER BUSINESS**

- 7. Municipal Code Amendment initiation request to allow Adult Day Health Care facilities in the Mixed-Use zones. (Case File No: 2015-16 A)
- 8. Time Extension request Conditional Use Permit for the expansion of a convenience store at an existing gasoline service station at 2945 Highland Avenue (Case File No: 2012-20 CUP TE)

#### STAFF REPORTS

Deputy City Attorney

**Executive Director** 

**Principal Planners** 

Commissioners

Chairperson

#### ADJOURNMENT

Adjournment to next regularly scheduled meeting on October 5, 2015



### Planning Commission Minutes

Meeting of August 3, 2015
Planning Commission Meeting
City Council Chambers, Civic Center
1243 National City Boulevard
National City, CA 91950

These minutes have been abbreviated. Video recordings of the full proceedings are on file and available to the public.

#### **Agenda Items**

The meeting was called to order by Chair Bush at 6:02 p.m.

#### Roll Call

Commissioners Present: Baca, Bush, DelaPaz, Flores, Yamane. Absent: Alvarado, Garcia.

Staff Also Present: Jennifer Knight, Deputy City Attorney; Brad Raulston, Executive Director; Martin Reeder, Principal Planner; Raymond Pe, Principal Planner; Mike Dalla, City Clerk; Mike Fellows, Planning Technician.

Pledge of Allegiance Presented by Commissioner Baca

#### Approval of Minutes

1. Approval of Minutes of the Meeting held on July 20, 2015.

Motion by Baca, 2<sup>nd</sup> by Flores to approve the Minutes for the Regular Meeting held on July 20, 2015.

Motion carried by the following vote: Ayes: Baca, Bush, DelaPaz, Flores, Yamane

Absent: Alvarado, Garcia

#### Approval of Agenda

2. Approval of Agenda for the Meeting on August 3, 2015.

Motion by Flores, 2<sup>nd</sup> by Yamane to approve the Agenda for the meeting of June 1, 2015.

Motion carried by the following vote:

Ayes: Baca, Bush, DelaPaz, Flores, Yamane

Absent: Alvarado, Garcia

#### **ORAL COMMUNICATION**

None

#### **PRESENTATIONS**

None

#### **PUBLIC HEARINGS**

3. Conditional Use Permit for a drive-through fast food restaurant to be located at the intersection of Plaza Blvd. and Grove Street. (Case File No: 2015-13 CUP)

Commissioners asked questions regarding conditions of approval, fencing, Caltrans right-of-way, General Plan policies, employment, healthy menu options, landscaping, walkability, health education/outreach, tax breaks for healthy businesses.

Speakers: Talisin Burton, franchisee - spoke in support

Ron Bamberger, property owner - spoke in support

Patricia Corona, nutritionist - spoke against (no healthy food options,

obesity, existing drive-through businesses)

Healy Vigderson, Olivewood Gardens - spoke against (no healthy food

options, obesity)

Motion by Yamane, 2<sup>nd</sup> by Baca to close the public hearing.

Motion carried by the following vote:

Ayes: Baca, Bush, DelaPaz, Flores, Yamane

Absent: Alvarado, Garcia

4. Resolution 2015-16 taking action on a Conditional Use Permit for a drive-through fast food restaurant to be located at the intersection of Plaza Blvd. and Grove Street. (Case File No: 2015-13 CUP)

Chair Bush conflicted. Stated that applicant had mitigated some issues.

Motion by DelaPaz, 2<sup>nd</sup> by Yamane to approve Resolution 2015-16 taking action on a Conditional Use Permit for a drive-through fast food restaurant to be located at the intersection of Plaza Blvd. and Grove Street. (Case File No: 2015-13 CUP)

Motion carried by the following vote:

Ayes: Baca, Bush, DelaPaz, Flores, Yamane

Absent: Alvarado, Garcia

#### OTHER BUSINESS

None

#### STAFF REPORTS

Raulston:

Port District update

#### Commissioners:

Yamane:

National City Health & Wellness 5K - August 22, 2015 at Westfield

Plaza Bonita; National Night Out.

DelaPaz:

Health, Transit.

Flores:

Transit.

Bush:

Transit, Health & Wellness Committee/Working Group?

Adjournment at 7:28 p.m. to next meeting scheduled for September 14, 2015 at 6:00 pm.

CHAIRPERSON



Item no. 5 September 14, 2015

### CITY OF NATIONAL CITY - PLANNING DEPARTMENT 1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

#### PLANNING COMMISSION STAFF REPORT

Title:

PUBLIC HEARING - CONDITIONAL USE PERMIT FOR A

WIRELESS COMMUNICATIONS FACILITY TO BE

LOCATED AT 116 NATIONAL CITY BLVD.

Case File No.:

2015-15 CUP

Location:

Southwest of National City Blvd. / Main Street intersection

Assessor's Parcel No.:

555-020-14

Staff report by:

Martin Reeder, AICP - Principal Planner

Applicant:

PlanCom, Inc. for Verizon Wireless

Property owner:

Rodolfo & Maria Narvaez

Zoning designation:

Downtown Specific Plan Development Zone 1A

(DZ-1A)

Adjacent land use/zoning:

North:

Liquor store/market / DZ-1A

East:

Auto body shop across National City Blvd. / DZ-2

South:

Auto upholstery shop / DZ-1A

West:

Commercial and residential across alley / DZ-1A

Environmental review:

Categorically Exempt pursuant to Class 3 Section 15303

(New Construction or Conversion of small structures)

Staff recommendation:

Approve

#### **BACKGROUND**

#### Site Characteristics

The project site is located near the southwest corner of National City Blvd. and Main Street in Development Zone 1A of the Downtown Specific Plan area. The 5,750 square-foot property is developed with a 3,000 square-foot commercial building that fronts on the west side of National City Blvd. The rear part of the lot is fenced off and is accessible from an alleyway located adjacent to the west of the property.

#### **Proposed Use**

The applicant is proposing to construct a 50-foot tall faux palm tree (monopalm) with 12 antennas, and a 364 square-foot equipment enclosure with emergency generator. The facility would be located in the rear lot behind the commercial building. The equipment shelter would be constructed of CMU block. The generator would be for backup purposes only and would be exercised for 15 minutes once a month for testing purposes.

#### <u>Analysis</u>

The proposed use is consistent with General Plan policy, since Policy E-3.3 (Education and Public Participation) of the General Plan is to increase access to wireless internet connections, computers, and other forms of communication technology. The proposal is also consistent with the Downtown Specific Plan, since wireless communications facilities are a conditionally-allowed use in Development Zone 1A of the Downtown Specific Plan Area.

Consistent with City policy, the proposed facility will not be highly visible to the observer, since the antennas will be screened by the fronds of the faux palm tree. There are several other mature palms in the area, which will add to the stealth nature of the tree when viewed from nearby streets. The trees are located to the south on both sides of National City Blvd., and also to the north on the east side of National City Blvd. Exhibit B shows the proposed monopalm in a photo simulation.

The area in which the project is proposed is currently fenced off and not used for anything. Because the area is directly adjacent to an alley, any service vehicles would not affect traffic on adjacent City streets. The applicant has stated that only one maintenance trip is expected every 4-6 weeks. Periodic maintenance would include running the emergency backup generator for 15 minutes on an approximate monthly basis. The generator is proposed within a CMU block wall; therefore, noise is not much of a factor. However, a Condition of Approval has been added to ensure that all activities comply with Title 12 (Noise) of the Municipal Code. Conditions also include graffiti protection of the block wall.

The proposed facility is designed to address an area of weak or no service in the Verizon Wireless network. There are two other co-location opportunities in this area — 241 National City Blvd. and 330 National City Blvd. However, the applicant has stated that neither of these facilities was feasible for their needs. The antennas would provide coverage to the northwest, east, and south, which encompasses Division Street eastward and the Interstate 5 corridor northward into San Diego.

With the subject palm tree being higher than all buildings adjacent in the area, the antennas would have clear reception and transmission in those directions. Nearby land uses in these directions are residential, commercial, and commercial/residential respectively. However, the antennas are positioned in such a way as to be directed above any nearby sensitive uses. Although there are such land uses in the vicinity, it should be mentioned that, per the 1996 Telecommunications Act, "no State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions." It should also be pointed out that if approved by a local jurisdiction, all wireless communications facilities must obtain all required state and federal permits in order to operate. A Condition of Approval (No. 15) is included requiring these permits.

#### California Environmental Quality Act (CEQA)

The proposed project has been reviewed in compliance with the California Environmental Quality Act. Staff has determined that the proposed use is categorically exempt from environmental review pursuant to Class 3 Section 15303 (New Construction or Conversion of Small Structures), for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.

Comments were received from the Fire Department and require compliance with the California Fire Code and local Codes. Standard Conditions of Approval for wireless facilities are also included, requiring compliance with applicable codes, all necessary state/local/federal permits, and that any external equipment is painted to match the surface on which it is mounted.

#### Summary

The proposed project is consistent with the Land Use Code in that it meets all applicable design requirements for wireless communication facilities. The project is considered 'stealth' and blends in with nearby development. The new facility will help to provide coverage in an area with limited service and provide additional reception for Verizon Wireless customers.

#### **OPTIONS**

- 1. Approve 2015-15 CUP subject to the conditions listed below, based on attached findings; or
- 2. Deny 2015-15 CUP based on findings to be determined by the Planning Commission; or
- 3. Continue the item in order to obtain additional information.

#### **ATTACHMENTS**

- 1. Recommended Findings for Approval
- 2. Recommended Conditions
- 3. Location Map
- 4. Nearby Wireless Facilities Map
- 5. Site Photos
- 6. Coverage Maps
- 7. Public Hearing Notice (Sent to 33 property owners)
- 8. Notice of Exemption
- 9. Applicant's Plans (Exhibits A and B, Case File No. 2015-15 CUP, dated 6/18/2015)

MARTIN REEDER, AICP

Mandr

**Principal Planner** 

BRAD RAULSTON Executive Director

#### RECOMMENDED FINDINGS FOR APPROVAL

2015-15 CUP - 116 National City Blvd.

- 1. That the proposed use is allowable within the applicable zoning district pursuant to a conditional use permit and complies with all other applicable provisions of the Land Use Code, since a wireless communications facility is a conditionally-permitted use in Development Zone 1A of the Downtown Specific Plan Area.
- 2. That the proposed use is consistent with the General Plan and any applicable specific plans, since Policy E-3.3 of the General Plan is to increase access to wireless internet connections, computers, and other forms of communication technology; and since wireless communications facilities are a conditionally-allowed use in Development Zone 1A of the Downtown Specific Plan Area.
- 3. That the site for the proposed use is adequate in size and shape, since the facility, including the faux palm tree and equipment shelter (364 square feet), can easily be accommodated on the 5,750 square-foot site, and will not affect surrounding existing uses.
- 4. That the site has sufficient access to streets and highways that are adequate in width and pavement type to carry the volume and type of traffic generated by the proposed use, since the unmanned wireless communications facility requires only one to two visits each month for routine maintenance, which will have a negligible effect on the adjacent developed streets.
- 5. That the proposed use will not have an adverse effect upon adjacent or abutting properties, since the 50-foot artificial palm tree will adequately screen the twelve panel antennas, and since the equipment shelter will blend in with adjacent commercial development.
- 6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, since staff has already determined that the proposed use is categorically exempt from environmental review pursuant to Class 3 Section 15303 (New Construction or Conversion of Smail Structures), for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.

#### RECOMMENDED CONDITIONS OF APPROVAL

2015-15 CUP - 116 National City Blvd.

#### General

- 1. This Conditional Use Permit authorizes a wireless communications facility at 116 National City Blvd. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform with Exhibits A and B dated 6/18/2015 Case File No. 2015-15 CUP. Any additional antennas or facilities must be in substantial conformance with the design for installation shown on these plans.
- 2. Before this Conditional Use Permit shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the Conditional Use Permit. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the Conditional Use Permit are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Executive Director prior to recordation.
- 3. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the County Clerk and submitted to the National City Planning Department.
- 4. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in Section 18.12.040 of the Municipal Code.

#### Building

- 5. Plans submitted for improvements must comply with the 2013 edition of the California Building, Electrical, Plumbing, Mechanical, Energy and Codes.
- 6. Call 800-227-2600 (Underground Service Alert) for mark out prior to any digging activities.
- 7. Television cable companies shall be notified a minimum of 48 hours prior to filling of cable trenches.
- 8. Exterior walls of accessible poles/walls to a height of not less than six feet shall be treated with a graffiti resistant coating subject to approval from the Building Official. Graffiti shall be removed within 24 hours of its observance.

#### Fire

- 9. Plans submitted for improvements must comply with the current editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA).
- 10. <u>Emergency Generator Shutdown</u> procedures shall be posted in a conspicuous area on the exterior of the emergency generator enclosure. The sign shall be clearly visible from the public right-of-way. If the power source is inside a building and cannot be seen from the public right-of-way, a sign shall be placed in a position that can be easily seen by emergency personnel on foot.
- 11. A 704 emergency placard shall be posted at the site. The Sign shall be clearly visible from the public right-of-way.
- 12. The National City Fire Department shall be involved with all fire inspections for this site. Rough inspections of all phases of work are required.

#### **Engineering**

- 13. The Priority Project Applicability checklist for the National Pollutant Discharge Elimination System (NPDES) is required to be completed and submitted to the Engineering Department. The checklist will be required when a project site is submitted for review of the City Departments. The checklist is available at the Engineering Department. If it is determined that the project is subject to the "Priority Project Permanent Storm Water BMP Requirements" and the City of National City Storm Water Best Management Practices of the Jurisdictional Urban Runoff Management Program (JURMP) approved Standard Urban Storm Water Mitigation Plan (SUSMP) documentation will be required prior to issuance of an applicable engineering permit. The SUSMP shall be prepared by a Registered Civil Engineer.
- 14. The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations which may require a Storm Water Pollution Prevention Plan (SWPPP) for the project. If required, an approved SWPPP will be required prior to issuing of a construction permit.

#### Planning

- 15. All appropriate and required local, state and/or federal permits must be obtained prior to operation of the wireless communications facility.
- 16. Any equipment visible to the exterior of the facility, including cable chases/trays, shall be painted to match the surface on which it is mounted.
- 17. The permittee shall not object to co-locating additional facilities of other communication companies and sharing the project site, provided such shared use does not result in substantial technical or quality-of-service impairment for the permitted use. In the event a dispute arises with regard to co-locating with other existing or potential users, the City may require a third party technical study at the expense of either or both the applicant and the complaining user. This condition in no way obligates the City to approve any co-location proposal if it is determined by the City not to be desirable in a specific case.

ŧ	antennas, e	quipment or	or shall be re facilities that onths of disco	esponsible for the are abandoned, ntinuance.	removal and o	lisposal of any ed, or become

#### 116 NATIONAL CITY BLVD



Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey or zoning verification.

1 inch = 65 feet 9/2/2015

FACILITY	APN	LOCATION	PROVIDER	FILE_NO_
-	562-340-44	2434 Southport	Urban Comm Rad CUP-1992-11	J CUP-1992-11
il.	Radio communication facility	ication facility (microwave tra	insmitter)- 80-foot ta	(microwave transmitter)- 80-foot tall tower and 8-foot in diameter dish antenna
2	562.340.26	300 W 28th	AirTouch	CDC Resc 94-28
	75-foot monopo	75-foot monopole with three sector antennas and 450-sa foot eauipment buildina.	s and 450-sa foot e	auipment buildina.
	562:-340-26	300 W 28th	Nextel	CUP-2003-30
	12 antennae on	existing communications tov	wer and a 270 squa	12 antennae on existing communications tower and a 270 square foot equipment enclosure adjacent to existing equipment
4	559-032-02	1215 Wilson	Pac Bell	CUP-1995-11
	Located on roof	f of existina building. PCS fac	cility- six roof-moun	Located on roof of existina building. PCS facility- six roof-mounted antennas and two ground-mounted equipment boxes.
5	557-410-03	1645 E Plaza	Pac Bell	CUP1995-13
	Located on roof	Located on roof of Quality Inn. PCSfacility- six panel antennas and equipment cabinet.	six panel antennas	and equipment cabinet.
9	555-086-11	910 Hoover	AirTouch	CUP-1995-18
	Located on existing building.	ding.	- three support stru	Cellular facility- three support structures with five panel antennas each, two dish antennas
	and equipment	cabinet		
	556-471-24 801 N	801 National City Blvd	AT&T	CUP-1996-2
	Located on roof of Red Lion		acility- four whip an	Hotel. Paging facility- four whip antennas, one global positioning satellite antenna and
	equipment cabinet	net.		
	556-471-24	801 National City Blvd	Nextel	CUP-1994-8
	Located on roof	f of Red Lion Hotel. ESMR fa	cility- three whip ar	itennas and eauipment cabinet.
	556-471-24	801 National City Blvd	Pagenet	556-471-24 801 National City Blvd Pagenet CUP-1996-12
	Located on roof	f of hotel. Paging facility- four	r antennas and eau	Located on roof of hotel. Paging facility- four antennas and eauipment cabinet one floor down from roof.
	556-471-24	801 National City Blvd	AT&T	CUP-1999-5
	Located atop R	ed Lion Hotel. Wireless comi	munication facility-	. Wireless communication facility- four antennas and radio base system.
8	554-120-30 2400 E 4th	2400 E 4th	AT&T	CUP-1996-4
	Located on roof of Paradise	f of Paradise Valley Hospital.	Paaina facility- fou	Valley Hospital. Paaina facilitv- four whip antennas, one alobal POsitioninasatellite antenna
	and equipment cabinet.	cabinet.		
6	559-160-13	W Ba	GTE	CUP-1996-5
	Located on a 360-sa foot bui	60-sa foot building. Cellular f	acility- 60-foot mon	Iding. Cellular facility- 60-foot monopole with twelve panel antennas.
10	563-370-36	3007 Highland	Pac Bell	CUP-1996-6
	Located on exis	sting Super Saver buildina. P	CSfacility- six pane	Located on existing Super Saver buildina. PCSfacility- six panel antennas and two equipment cabinets.
12	554-050-12	303 Palm	AirTouch	CUP-1996-8
	60-foot hiah mo	oncpole with six whip anterna	as, thirty directional	60-foot hiah monopole with six whip antennas, thirty directional cellular antennas, and three dishes with an eauiDmentcabinet
	at base.			
	554-050-12	303 Palm	Sprint PCS	CUP-2001-10
	Located on Nat	ional Guard Armory property	. Postacility six an	Located on national cuard Armony property. Postacility six antennas in three 40-100t liag poles, one GPS antenna and a
	new equipment building	ıt building.		

14	564-471-01	3030 Plaza Bonita Rd	Nextel	CUP-1997-8
	6	Plaza Bonita sign. ESMRfacilit	tv- nine antennas a	gn. ESMRfacilitv- nine antennas and equipment cabinet.
	-01	3030 Plaza Bonita Rd	Pac Bell	CUP-1996-7
	Located atop til	Located atop the existing Plaza Bonita sign.		PCSfacility- three antennas and two eauiDmentcabinets at base of sign.
16	557-420-36	1840 E 12th		CUP-1999-4
ð	60-foot monopalm on vacant	alm on vacant commercial lot		
20	555-082-11	111 W 9th	Sprint	CUP-2000-9
	Located atop 2	2-story Sid's Camet Barn ware	shouse. Wireless or	Located atop 2-story Sid's Camet Barn warehouse. Wireless communication facility- twelve wireless panel antennas
	and 4-inch GPS antenna.	S antenna.		
21	555-030-21	330 National City Blvd	GTE	CUP-2000-11
	Located atop BayTheatre. Wi	3ayTheatre. Wireless commur	nication facility- twe	freless communication facility- twelve panel antennas and four equipment cabinets.
22	564-250-50	2435 Sweetwater	Sprint	CUP-2000-14
	Located at Swi	Located at Sweetwater Inn. Global Positioning System with nine panel antennas.	ng System with nin	e panel antennas.
30	557-420-36	1905 E Plaza	Sprint PCS	CUP-2001-3
	53 foot tall mor		nas. PCS Facility w	ne panel antennas. PCS Facility with one equipment enclosure and a GPS antenna.
32	556-473-18 242 E 8th		AT&T	CUP-2001-6
	Located atop a	in existing church.		
34	563-370-35 3007 Migh	3007 Highland	Nextel	CUP-2001-12
	Located atop S	Sweetwater Square. Mew equi	ipment building ove	uare. New equipment building over trash enclosure, nine panel antennas and one GPS antenna.
36		1914 Swestwater	Cingular	CUP-2002-3
	Located on an	existing 75 foot tall pole sign	for the Sweetwater	Located on an existing 75 foot tall pole sign for the SweetwaterTown and Country Shopping Center.
37	564-310-37	3737 Sweetwater	Cingular	CUP-2002-4
	72 foot tall mor	nopine with standard equipme	ent enclosure	
39	556-101-15	556-101-15 241 National City Blvd Cingular	Cingular	CUP-2002-6
	12 panel anten	mas behind four new partial p	arapet walls atop a	12 panel antennas behind four new partial parapet walls atop an existina fumiture store; four equipment cabinets outside
40	558-200-24	2415 E 18th	Cingular	CUP-2002-13
	Pariel antenna	s located inside new liaht star	ndards; equipment	Pariel antennas located inside new liaht standards; equipment located inside existing commercial buildina
41	556-354-13	716 Highland	AT&T	CUP-2002-14
	Six facade mounted panel an	unted panel antennas with eq	uipment on roof of	itennas with equipment on roof of PacBell switching station. Equipment screened to match
	existing.			
44	556-590-61	1019 Highland	Sprint PCS	CUP-2002-24
	6 panel antennas in a new m	ias in a new monument sign ii	n the South Bay Pla	onument sign in the South Bay Plaza shopping center
	556-590-61	1019 Highland	Cingular	CUP-2002-2
	Located atop 5	Located atop South Bay Plaza on an existing mechanical equipment screen.	g mechanical equip	ment screen.
51	552-283-11	2323 E Division	Sprint	CUP-2004-6
	3 panelantenna	3 panelantennasina 9x10x16 roof-mountedcupola	upola	

52	560-191-30	1701 D Ave	Nextel	CUP-2004-12
	12 panel antennas on a 57' f	as on a 57' faux broadleaf tr	ree with 230 square	aux broadleaf tree with 230 square foot equipment enclosure
53	551-570-20	51 N Highland	Sprint	CUP-2004-15
	2 panel antenna	2 panel antennas in a 45' flagpole with 4 wa	gpole with 4 wall-mounted equipment cabinets	ent cabinets
55	563-231-39	1914 Sweetwater	Nextel	PC Reso 20-2002
	2 panel antennas in a 45' fla	as in a 45' flagpole with 4 wa	gpole with 4 wall-mounted equipment cabinets	ent cabinets
57	554-120-24	2701	Cingular	PC Reso 02-2001
	Co-locationin churchspire-3	nurchspire-3 antennas within	antennas within existing architectural feature	ral feature
	554-120-24	2701 E 8th	T-Mobile	CUP-2000-19
	Located at exist	ting church. Antennas locate	d in a GO-footmonu	ument.
	554-120-24	554-120-24 2701 E 8th Sprint CUP.	Sprint	CUP-2000-27
	12 panel antennas mounted		elf-storage building	on exterior of self-storage building and painted to match; all equiprnent located inside of the
	sguipling			
	554-120-24	2701 🖺 8th	AT&T	CUP-2000-19
	Located at exist	Located at existing church. Antennas located in a 60-foot monument	d in a 60-foot monu	ment
58	558-030-30	1035 Harbison	Nextel	CUP-2005-3
6	12 panel antenr	12 panel antennas on a monopalm with 299 SQ.ft. equipment enclosure.	SQ.ft. equipment e	anclosure.
90	556-510-12	914 E 8th	Cingular	CUP-2005-10
	12 panel antenr	12 panel antennas on 39-ft monopine with 280 sq. ft. equipment shelter	280 sq. ft. equipmen	ıt shelter
61	559-040-53	1439 Tidelands	Cingular	CUP-2005-9
	12 panel antennas on monor	has on monopalm with assoc	palm with associated equipment shelter	elter
	559-040-53	1445 Tidelands	Nextel	CUP-2000-31
	40-footmonopa		sectors of four antennas each and equipment shelter	equipment shelter
63	562-200-02 2900 High		Cingular	CUP-2005-12
	3 antennas on replacement		ight standard with associated equipment shelter	oment shelter
64	563-010-47		Cricket	CUP-2006-11
	3 antennas in new architectu	ew architectural feature of ch	iral feature of church with associated equipment	ed equipment
	563-010-47	2605 Highland	Sprint	CUP-2002-18
	Six panel antennas and equi	nas and equipment inside a	pment inside a new 54 foot tall monument/cross/sign.	nument/cross/sign.
65	557-420-31	1900 E Plaza	Cricket	CUP-2006-6
	3 antennas on r	new faux palm tree with asso	sciated equipment	
	557-420-31	557-420-31 1900 E Plaza Cingular	Cingular	CUP-2004-4
	5 panel anterna	5 panel antennas in a new pole sign at Jimmy's Restaurant	ny's Restaurant	
29	561-222-23	1526-40 E 18th	T-Mobile	CUP-2006-10
	12 panel antenr	12 panel antennas on a new 45-foot tall faux	x pine tree with ass	45-foct tall faux pine tree with associated equipment shelter
89	564-471-07	3030 Plaza Bonita Rd	Cingular	CUP-2005-24
	12 antennas facade mounted	ade mounted to new rooftop	d to new rooftop enclosure that will house equipment	house equipment

68	564-471-07	
	f of the Plaza Bonita Mall behind a	
69	559-106-17 <b>525 W 20th</b> Cricket CUP-2005-25	
	on existing self storage building painted to match wit	
	559-106-17 625 W 20th Sprint CUP-2001-4	
	Located on existina storage building. Wireless communication facility- 9 antennas and equipment building.	
20	554-050-15 2003 E 4th Cricket PC Reso (09-2003	
	3 antennas on existing light standard with associated equipment shelter	
	554-050-15 2005 E 4th Cingular CUP-2003-5	
	12 panel antennas on a replacement 100 foot light standard in EITovon park and a 160 square foot equipment enclosure	nent enclosure.
	554-050-15 <b>2005 E 4th</b> GTE CUP-1998-4	
	Located in EIT:ovon Park. Cellular facility- 97'8" monopole with twelve panel antennas, three omni antennas, and 192-sqfoot	is, and 192-sqfoot
	554-050-15 2003 E 4th Nextel CUP-2005-15	
	12 panel antennas on a 47-foot tall faux-broadleaf awith 230 sq. ft.equipment shelter	
71	564-290-06 3820 Cagle St Cricket PC RESO 10-2004	
	tree with vaulted equipment she	
	564-290-06 <b>3820 Cagle St</b> Sprint CUP-2001-2	
	Located at Sweetwater Heights Centennial Park. Wireless communication facility- 35-foot pole with six antennas,	ennas,
	ent lighting for th	
	564-290-06 3820 Cagle St T-Mobile CUP-2004-3	
	Located at Sweetwater Heights Centennial Park. Wireless communication facility- 55-foot monopine with twelve panel	welve panel
	antennas and equipment building	
	564-290-06 3820 Cagle St Cingular PC Reso 11-2002	
	Co-location on 55-foot monopine - additional 12 panel antennas and new 275 SQ.ft. equipment vault	
72	669-060-26 5800 Boxer Rd Cricket PC RESO 32-2003	
	3 antennas on existing water tower with associated equipment shelter	
	5800 Boxel	
	12 panel antennas on the outside of the 0.0. Arnold water tank and a 150 square foot equipment enclosure adjacent to the tank	e adiacent to the tanl
	669-060-26 5800 Boxer Rd Sprint PC Reso 32-2003	
	le panel antennas on the outside of the 0.0. Arnold water tank and a 360 square foot equipment enclosur	adjacent
	669-060-26 5800 Boxer Rd Cingular CUP-2005-21	
	12 panel antennas on the outside of the 0.0. Amold water tank and a 520 square foot equipment enclosure adjacent	e adjacent
73		
	on exi	
	562-330-43 152 W 33rd Sprint CUP-2002-8	

74	555-053-17	700 NCB	Cricket	PC Reso 05-2000
	3 antennas faca		to existina hotel with associated equipmen	yuipmen
	555-053-17 700 NCB		Metricom	CUP-2000-4
	Located atop Holiday Inn. W		reless communication facility with equipment cabinet.	equipment cabinet.
	555-053-17	700 NCB	Skytel	CUP-2000-30
	Located atop Ho	olidav Inn Hotel 8-foot whi	p antenna, two 4x2.	Located atop Holiday Inn Hotel 8-foot whip antenna, two 4x2-foot panel antennas, and one GPS antenna with two indoor
	equipment cabin	lets.		
75	560-203-03 18	1800 National City Blvd	Nextel	CUP-2006-15
0	15 panel antenn	as behindscreen wall atop e	existing car dealers	nip with associated equipment
76	561-360-35	1810 E 22nd	Cricket	561-360-35 1810 E 22nd Cricket 2007-14 CUP
	3 antennas on re	recration building at Las Palmas Park	nas Park	
	561-360-35	1820 E 22nd	Sprint-Nextel	CUP-2000-8
	Located in Las F	Located in Las Palmas Park. Monopalm and eauipment along with live palms.	d eauipment along v	with live palms.
78	560-143-36	1703 Hoover	Cleawire	2009-22 CUP
	9 antennas local	9 antennas located on 3 different locations on industrial/warehouse building.	on industrial/wareh	ouse building. Each location will have 2 pannel antennas.
	Associated equi	ptment will be located in bui	lding	
79	559-160-33	559-160-33 700 Bay Marina Dr Cle	Cleawire	2009-23 CUP
	9 antennas on to	ower of Marina Gat∈way Pla	aza commercial buil	9 antennas on tower of Marina Gateway Plaza commercial building hidden behind parapet wall. 6-foot tall equiptmant
	cabinent on roof below tower	below tower will be mostly covered	covered	
80	560-151-20	142 E 16th	AT&T	2010-11 CUP
	6 panel antenna	s and RF transparent cupols	a atop National City	6 panel antennas and RF transparent cupola atop National City Ministry Church, as well as a 330 sq ft
	equipment/stora	ge/trash enclosure on the g	round. The 8-foot to	equipment/storage/trash enclosure on the ground. The 8-foot tall Cupola will have a cross afixed to it in order to appea
200	as part of the church	urch		
81	561-271-01	2005 Highland Ave	Plancom	2010-31 CUP
	12 antenas on a	a 43-foot mono-palm on east	to-palm on eastern property line	
	561-271-01	2005 Highland	T-Mobile	CUP-2003-4
	12 antennas on	on the roof of a Highland Aven	Highland Avenue office building	
	561-271-01	2005 Highland	Cingular	CUP-2006-2
	62		ue office building w	Highland Avenue office building with new cupola to match existing
82	563-184-47	2909 Shelby Dr		P95-025
	75-foot monopol	75-foot monopole and equipment building.		
83	563-062-17	2524 Prospect St	AT&T	ZAP99-028
	35-foot monopalm with three	m with three sector direction	nal antenna system	sector directional antenna system and equipment cabinets.
85	564-310-32	3312 Bonita Heights Lane AT&T	ie AT&T	ZAP00-13:3
98	563-063-29	2563 Grove St	AT&T	MUP91-026W2

98	563-063-29	3-29 2563 Grove St P9	P91-026W
	Monopole locate	ited aside live palm trees.	

#### **2015-15 CUP** – 116 National City Blvd. – **Wireless Facility** – Site Photos



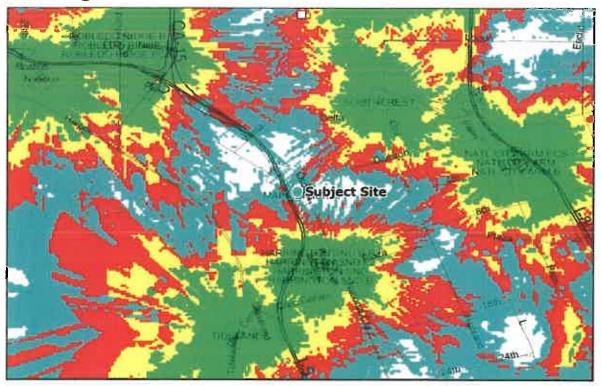
Front of building looking west

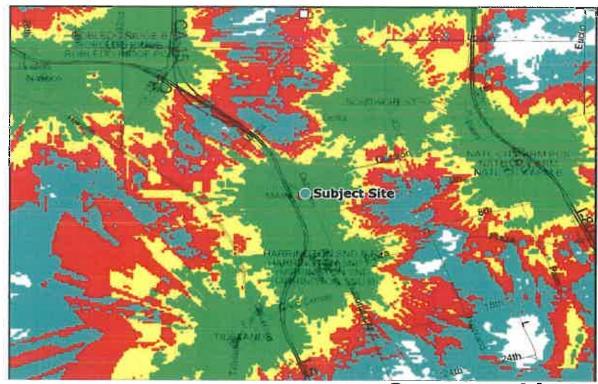


Rear of building looking east



#### Coverage without site







Coverage with site



CITY OF NATIONAL CITY - PLANNING DEPARTMENT 1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

### NOTICE OF PUBLIC HEARING CONDITIONAL USE PERMIT FOR A WIRELESS COMMUNICATIONS FACILITY TO BE LOCATED AT 116 NATIONAL CITY BLVD.

CASE FILE NO.: 2015-15 CUP APN: 555-020-14

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. Monday, September 14, 2015, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: PlanCom, Inc. for Verizon Wireless)

The applicant is proposing to construct a 50-foot tall artificial palm tree with 12 antennas, and a 364 square-foot equipment enclosure with emergency generator. The facility would be located behind the commercial building.

Information is available for review at the City's Planning Department, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Division on or before 12:00 p.m., **September 14, 2015**, who can be contacted at 619-336-4310 or planning@nationalcityca.gov

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

NATIONAL CITY PLANNING DEPARTMENT

BRAD RAULSTON Executive Director



#### CITY OF NATIONAL CITY - PLANNING DEPARTMENT 1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

#### NOTICE OF EXEMPTION

TO: County Clerk County of San Diego P.O. Box 1750 1600 Pacific Highway, Room 260 San Diego, CA 92112

Project Title: 2015-15 CUP

Project Location: 116 National City Blvd., National City, CA, 91950

City of National City Lead Agency:

Contact Person: Martin Reeder **Telephone Number:** (619) 336-4313

#### <u>Description of Nature, Purpose and Beneficiaries of Project:</u>

Conditional Use Permit for a wireless communications facility behind an existing commercial building in a developed commercial area. The project will increase signal strength and service area for Verizon Wireless customers.

PlanCom, Inc. for Verizon Wireless 302 State Place

Escondido, CA 92029

#### Applicant: **Telephone Number:** (760) 587-3003

#### **Exempt Status:**

Categorical Exemption. Class 3 Section 15301 (Existing Facilities)

#### Reasons why project is exempt:

There is no possibility that the proposed use will have a significant impact on the environment since antennas will be screened by an artificial palm tree, which is proposed in an unused and separated area behind a commercial building. The proposal will not affect use of the property.

Date:

X

CASE FILE NO: 2015-15 CUP DATE: 6/18/15 EXHIBIT: 7



# NATIONAL CITY, CALIFORNIA 91950 116 NATIONAL CITY BOULEVARD MAIN DIVISION (MCE)

## CONSULTANT TEAM

CLIENTS REPRESENTATIVE:

PLANCON
302 SYNTE PLACE
ESCONDIDO, CALFORNA 32029
PHONE: (858) 003-2338
CONTINET: CREC MODRAD

LIES 18 AND 18 NR BLOCK 2 B NATURAL, OTH, NR THE CITY OF NATURAL, OTH, COLARIY OF SAN BERN STATE OF CALL OLD MAN, ACCOUNTING THE PARK 314, FLID IN THE OFFICE OF THE COLARIY PROBADINGS SAN BECOMO COLUMITY, COPIEDIN 2, 1662. ALL THAT CERTINA ROLL PROPERTY STILLATO IN THE COUNTY OF SAM DICEO, STATE OF CALLIFORM INSIDAGED AS FOLLOWS: LEGAL DESCRIPTION

ARCHITECT:

JULY REV ROME & MESOCAUTES

13.1 RECORDING

SAFE 100

ROME, CALPORAN EZB17

PHYRE (948) 700—3935

FORE (948) 750—3931

COMPACT: LETTREY ROME

SURVEYOR:

AA, KOLTWARY CHIL EMBRERS 27 OKCHAND
LING FOREST, CHLFORMA SZEJG CONNACT; MOREN KOLTWARY
PHONE: (714) 824—8827

VICINITY MAP

# **DRIVING DIRECTIONS**

STAR

TOTAL PROPOSED VZN LEASE MEEN PROPOSED TWPE OF CONSTRUCTION:

EXISTING TYPE OF CONSTITUT EXISTING OCCUPANCY:

INTERCENCE AND PRODOM PRESENT OFFICE - LEGAL SOCIETY CHARACTER OF PRODUCE - LEGAL SOCIETY CHARACTER OFFICE - LEGAL SOCIETY CHARACTER OFFI - LINE OFFI - OND PRODUCE OFFI - LINE OFFI - LINE OFFI - OND PRODUCE OFFI - LINE OFFI - LI

NATIONAL CITY

PHOMES EUROPE REDICIONE SAN CIEDO COUNTY EOTODE SETH MAP/CRIO #1 1259/H7

**2** 

### SHEET INDEX

PROJECT SUMMARY

VENCION MAGLESS 13505 SAND CANTON MENUE CAPIE, CALFORNA 92618

INDOLFD AND WARM WARRIZ 116 NATIONAL CITY BOLLENING WARDAME: (SID) 474—2889 CONTACT: RODOLFD WARRIAZZ

OWNER

STE SURVEY (FOR REFERENCE CALLY) STE SURVEY (FOR REFERENCE CALLY)

## APPLICABLE CODES

ALL YORK SHALL COMPLY WITH THE FOLLOWING APPLICABLE CODES:

(10) PROCEDURAL ANTIQUES CONTRACTOR ON (1) PRICESOR SOL-O" HIGH TANKIN ANTIQUES CHINATURE CONTRACTOR ON (1) PRICESOR SOLICION UND CONTRACTOR CONTRACTOR CONTRACTOR CONTRACTOR CONTRACTOR CONTRACTOR CONTRACTOR NECESIA PROCEDURAL CONTRACTOR NECESIA PROCEDURAL CONTRACTOR NECESIA PROCEDURAL CONTRACTOR ON CONTRACTOR CONTRACT

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CALTOWING CODE, 2013 EDITION

Y THE EMENT OF CONFLICT, THE MOST RESTRICTIVE CODE 24441. PPEVAL

ATE WITCHAL CITY BOLLEWED MATERIAL CITY, CALFORNIA BIBSO S65-020-14 CONTIONN SPECIFIC PLAN-1A

OTHER ON-SITE TELECOM FACILITIES

PROJECT ADDRESS;

ASSESSORS PARCEL NUMBER: PROPOSED EQUIPMENT AREA;

# ACCESSIBILITY DISCLAIMER

THE PROJECT IS AN UNCCORPED WHELESS PCT TOLECUMALNICATIONS FAZILITY WAS ACCORDED TO WRITHEN INTERPRETATION FROM THE CALIFORN DEPARTMENT BY THE SATISFACE DEPARTMENT BY THE SATISFACE DEPARTMENT.

### SCALE

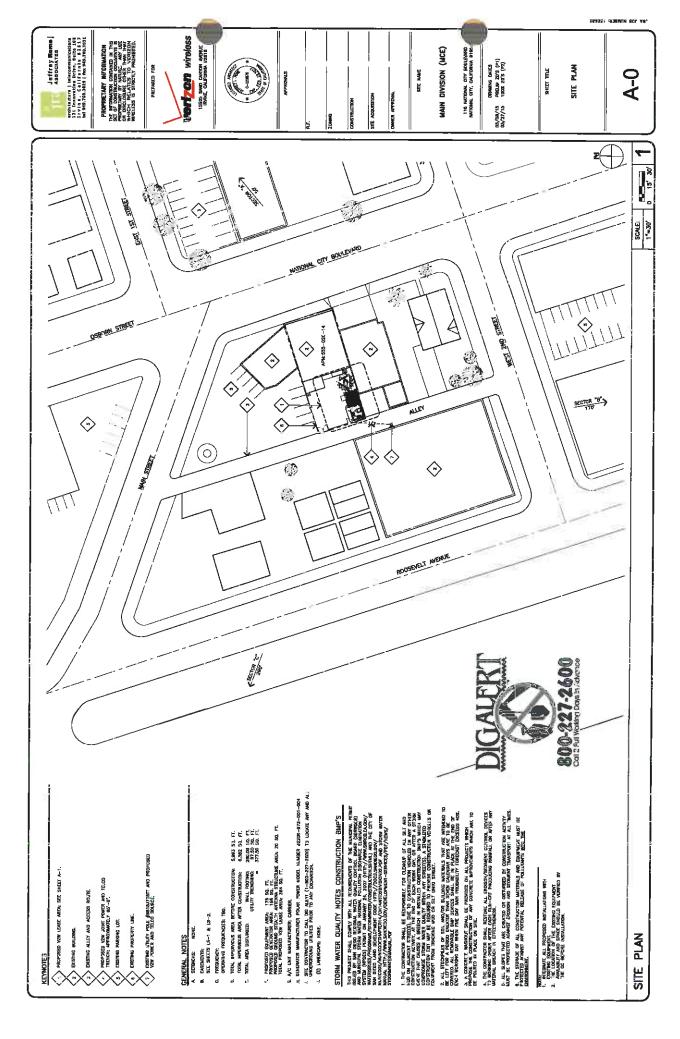
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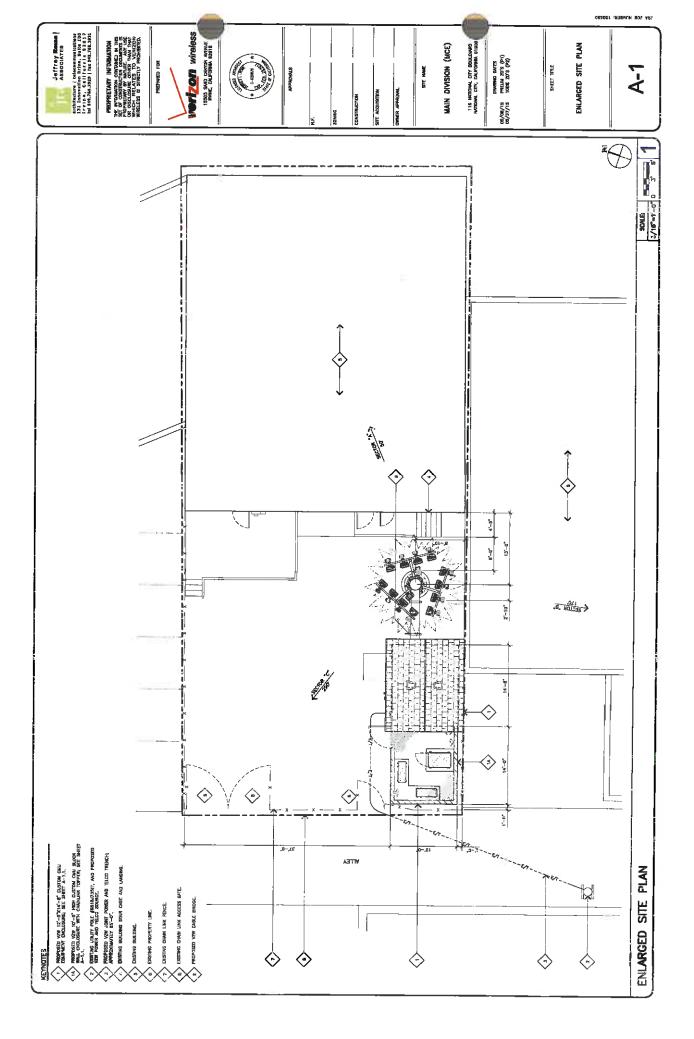
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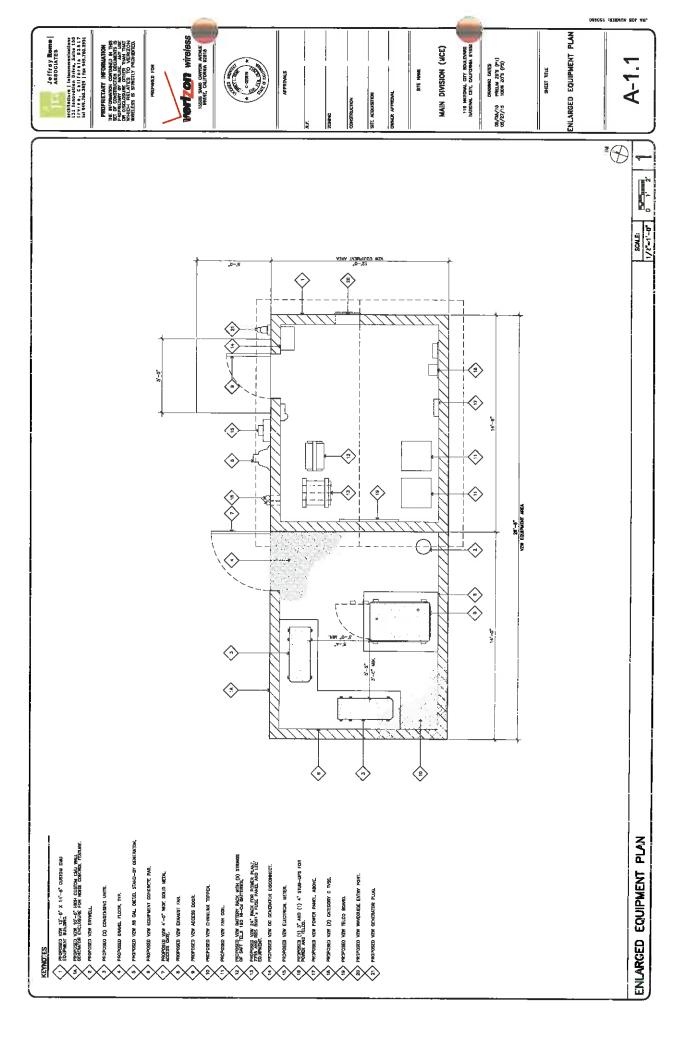
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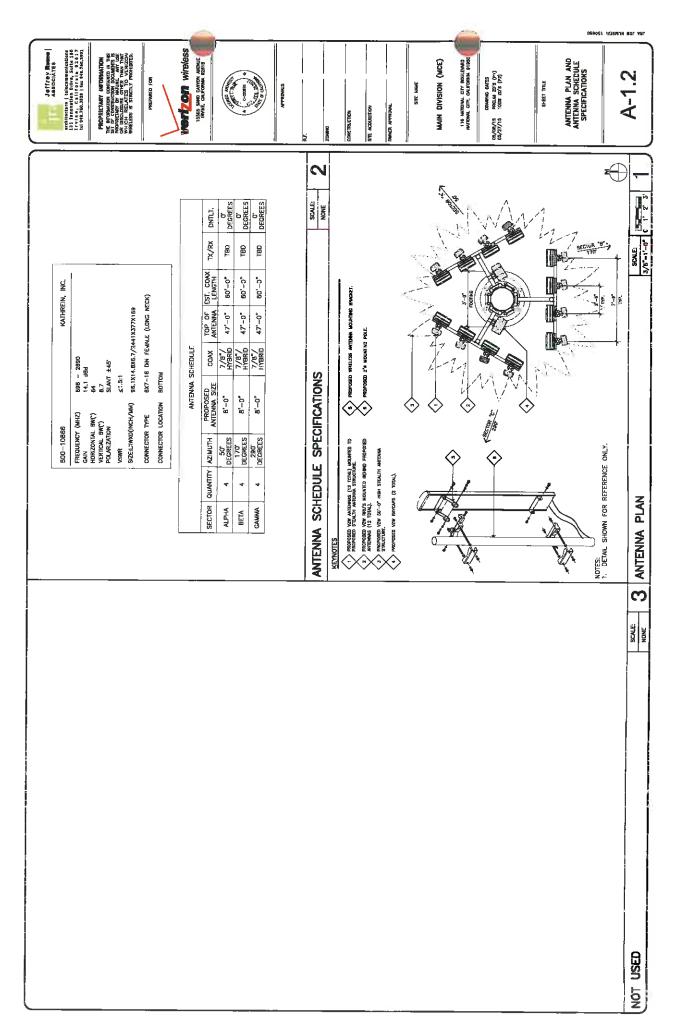
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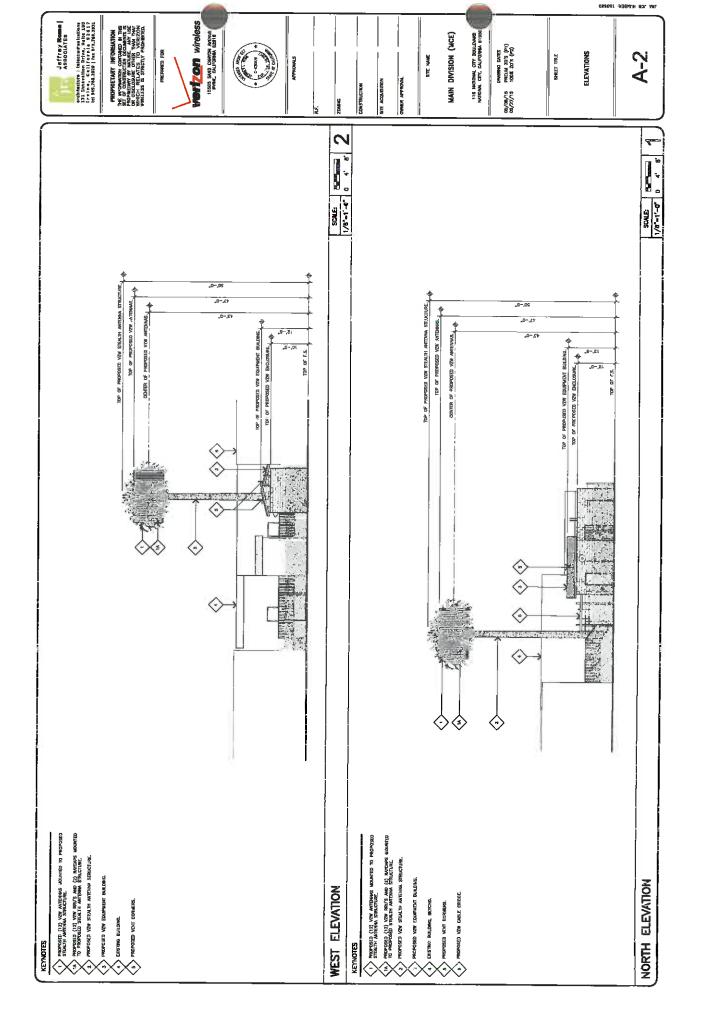


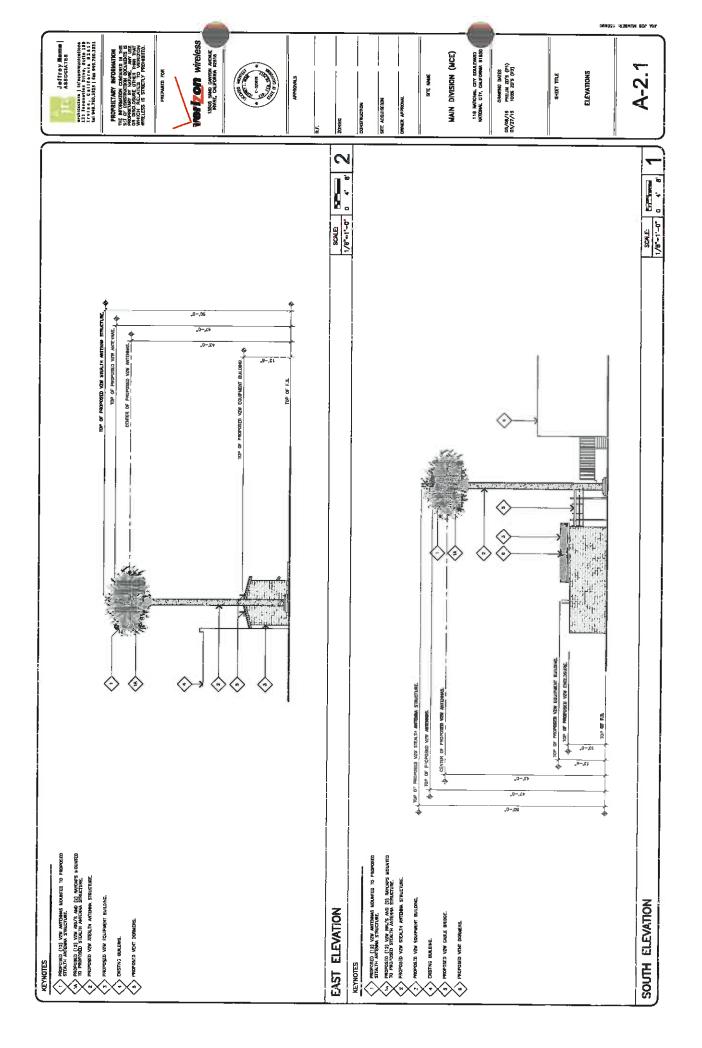


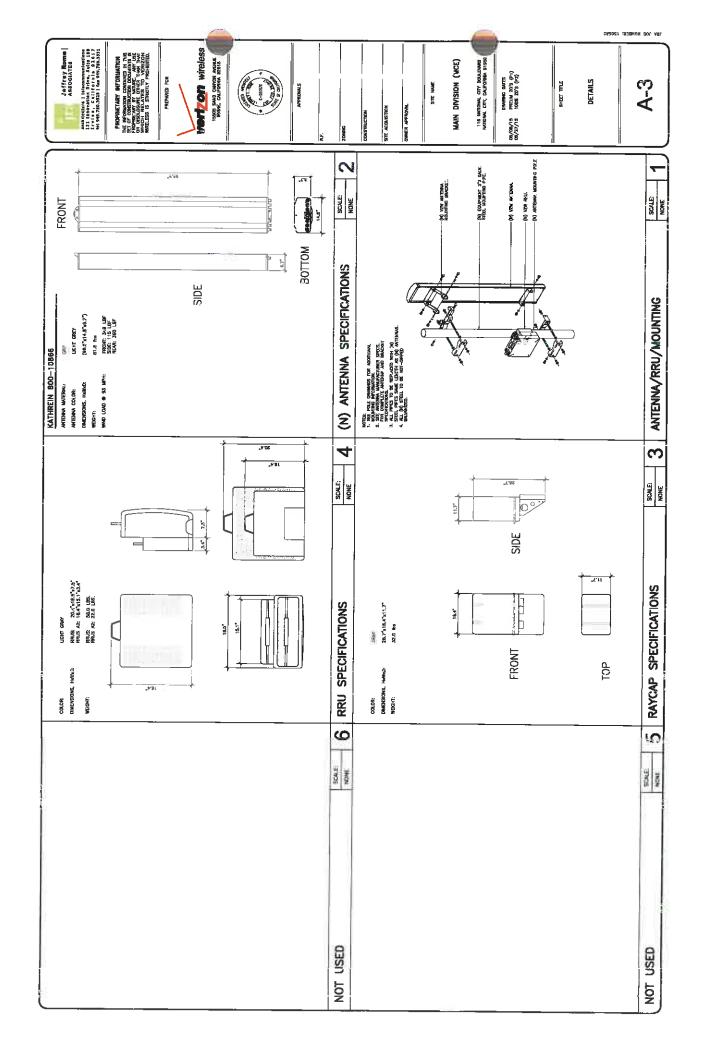


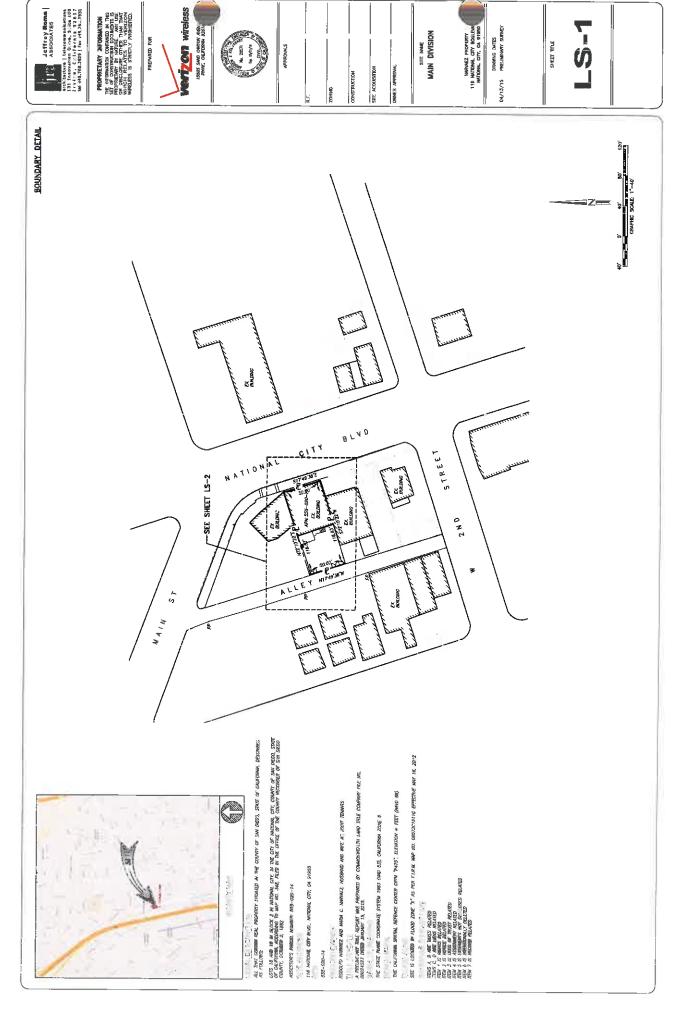


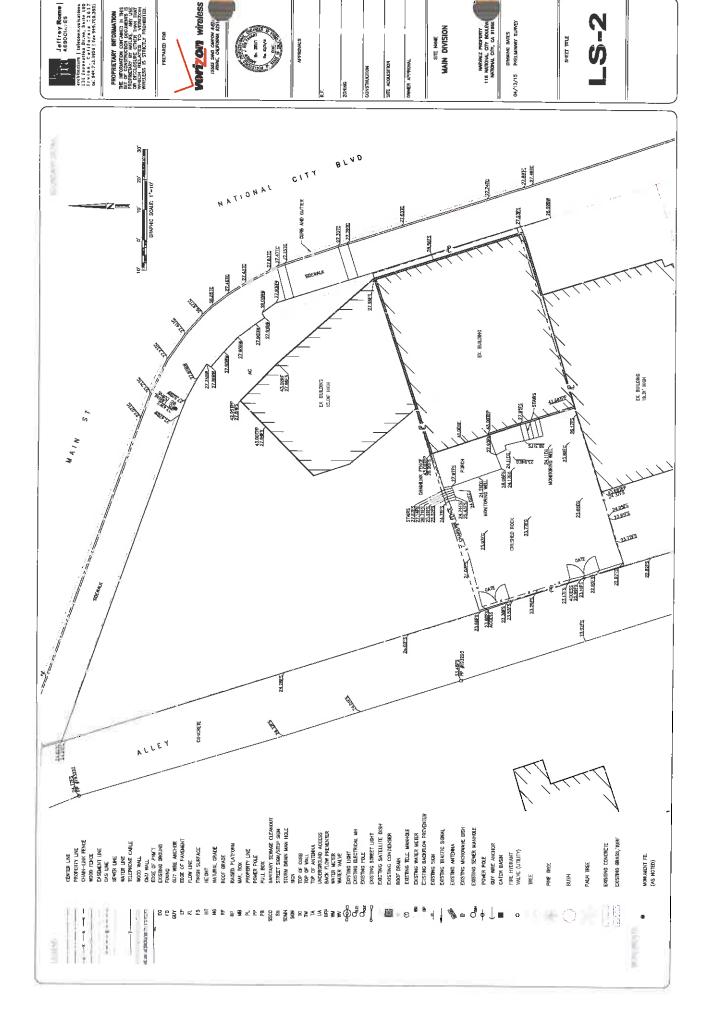
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verizon の形だのおのおお Proposed equipment shelter and generator enclosure Proposed monopalm Main Division (MCE) 116 National City Blvd. National City, CA 91950 EXHIBIT: B CASE FILE NO.: 215-15 CMP DATE: 6/18/15 These simulations are intended for graphical purposes only and not intended to be part of or to replace the information provided on the construction drawings. EVERTUNO.

6/16/2015

Photosimulation of proposed telecommunications site



6/16/2015



6/16/2015



Photosimulation of proposed telecommunications site

#### **RESOLUTION NO. 2015-17**

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA,
APPROVING A CONDITIONAL USE PERMIT FOR A
WIRELESS COMMUNICATIONS FACILITY
TO BE LOCATED AT 116 NATIONAL CITY BLVD.
APPLICANT: PLANCOM, INC. FOR VERIZON WIRELESS
CASE FILE NO. 2015-15 CUP
APN: 555-020-14

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for a wireless communications facility to be located at 116 National City Blvd. at a duly advertised public hearings held on September 14, 2015, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2015-15 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and.

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on September 14, 2015, support the following findings:

- 1. That the proposed use is allowable within the applicable zoning district pursuant to a conditional use permit and complies with all other applicable provisions of the Land Use Code, since a wireless communications facility is a conditionally-permitted use in Development Zone 1A of the Downtown Specific Plan Area.
- 2. That the proposed use is consistent with the General Plan and any applicable specific plans, since Policy E-3.3 of the General Plan is to increase access to wireless internet connections, computers, and other forms of communication technology; and since wireless communications facilities are a conditionally-allowed use in Development Zone 1A of the Downtown Specific Plan Area.

- 3. That the site for the proposed use is adequate in size and shape, since the facility, including the faux palm tree and equipment shelter (364 square feet), can easily be accommodated on the 5,750 square-foot site, and will not affect surrounding existing uses.
- 4. That the site has sufficient access to streets and highways that are adequate in width and pavement type to carry the volume and type of traffic generated by the proposed use, since the unmanned wireless communications facility requires only one to two visits each month for routine maintenance, which will have a negligible effect on the adjacent developed streets.
- 5. That the proposed use will not have an adverse effect upon adjacent or abutting properties, since the 50-foot artificial palm tree will adequately screen the twelve panel antennas, and since the equipment shelter will blend in with adjacent commercial development.
- 6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, since staff has already determined that the proposed use is categorically exempt from environmental review pursuant to Class 3 Section 15303 (New Construction or Conversion of Smail Structures), for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.

BE IT FURTHER RESOLVED that the application for Conditional Use Permit is approved subject to the following conditions:

#### General

- 1. This Conditional Use Permit authorizes a wireless communications facility at 116 National City Blvd. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform with Exhibits A and B dated 6/18/2015 Case File No. 2015-15 CUP. Any additional antennas or facilities must be in substantial conformance with the design for installation shown on these plans.
- 2. Before this Conditional Use Permit shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the Conditional Use Permit. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the Conditional Use Permit are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Executive Director prior to recordation.
- 3. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be

- made payable to the County Clerk and submitted to the National City Planning Department.
- 4. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in Section 18.12.040 of the Municipal Code.

#### Building

- 5. Plans submitted for improvements must comply with the 2013 edition of the California Building, Electrical, Plumbing, Mechanical, Energy and Codes.
- Cali 800-227-2600 (Underground Service Alert) for mark out prior to any digging activities.
- 7. Television cable companies shall be notified a minimum of 48 hours prior to filling of cable trenches.
- Exterior walls of accessible poles/walls to a height of not less than six feet shall be treated with a graffiti resistant coating subject to approval from the Building Official. Graffiti shall be removed within 24 hours of its observance.

#### Fire

- 9. Plans submitted for improvements must comply with the current editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA).
- 10. Emergency Generator Shutdown procedures shall be posted in a conspicuous area on the exterior of the emergency generator enclosure. The sign shall be clearly visible from the public right-of-way. If the power source is inside a building and cannot be seen from the public right-of-way, a sign shall be placed in a position that can be easily seen by emergency personnel on foot.
- 11. A 704 emergency placard shall be posted at the site. The Sign shall be clearly visible from the public right-of-way.
- 12. The National City Fire Department shall be involved with all fire inspections for this site. Rough inspections of all phases of work are required.

# Engineering

- 13. The Priority Project Applicability checklist for the National Pollutant Discharge Elimination System (NPDES) is required to be completed and submitted to the Engineering Department. The checklist will be required when a project site is submitted for review of the City Departments. The checklist is available at the Engineering Department. If it is determined that the project is subject to the "Priority Project Permanent Storm Water BMP Requirements" and the City of National City Storm Water Best Management Practices of the Jurisdictional Urban Runoff Management Program (JURMP) approved Standard Urban Storm Water Mitigation Plan (SUSMP) documentation will be required prior to issuance of an applicable engineering permit. The SUSMP shall be prepared by a Registered Civil Engineer.
- 14. The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations which may require a Storm Water Pollution Prevention Plan (SWPPP) for the project. If required, an approved SWPPP will be required prior to issuing of a construction permit.

### **Planning**

- 15. All appropriate and required local, state and/or federal permits must be obtained prior to operation of the wireless communications facility.
- 16. Any equipment visible to the exterior of the facility, including cable chases/trays, shall be painted to match the surface on which it is mounted.
- 17. The permittee shall not object to co-locating additional facilities of other communication companies and sharing the project site, provided such shared use does not result in substantial technical or quality-of-service impairment for the permitted use. In the event a dispute arises with regard to co-locating with other existing or potential users, the City may require a third party technical study at the expense of either or both the applicant and the complaining user. This condition in no way obligates the City to approve any co-location proposal if it is determined by the City not to be desirable in a specific case.
- 18. The applicant or operator shall be responsible for the removal and disposal of any antennas, equipment or facilities that are abandoned, decommissioned, or become obsolete within six (6) months of discontinuance.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

#### **CERTIFICATION:**

This certifies that the Resolution was adopted by the Planning Commission at their meeting of September 14, 2015, by the following vote:

ABSFNT <sup>.</sup>	ABSTAIN:	
ARSENT.		
	ABSENT:	
	AYES:	



Item no. September 14, 2015

# CITY OF NATIONAL CITY - PLANNING DEPARTMENT 1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

# **PLANNING COMMISSION STAFF REPORT**

Title: REQUEST TO INITIATE A MUNICIPAL CODE

AMENDMENT TO ALLOW ADULT DAY HEALTH

CARE FACILITIES IN THE MIXED USE ZONES.

Case File No.: 2015-16 A

Property Location: 1035 South Harbison Avenue

Assessor's Parcel No.: 558-030-30

Staff report by: Martin Reeder, AICP – Principal Planner

Applicant: Marina Murashova for Horizons Adult Day Health

Zoning designation: Minor Mixed-Use District (MXD-1)

Adjacent land use/zoning:

North: Single-family residential / RS-2

East: Single-family residential / RS-2

South: Gas station / MXD-1

West: Single-family residential across Harbison / RS-2

Environmental review: Not a project per CEQA

Staff recommendation: Initiate the Municipal Code Amendment

# BACKGROUND

#### Site Characteristics

The project site is a 1.76-acre property located on the east side of South Harbison Avenue. The lot is part of several parcels that make up a shopping center that house Texas Liquor, a dentist, church, laundromat, and (formerly) Sav-A-Lot. The project site is the former Sav-A-Lot building, which is currently vacant. The property is zoned as MXD-1 (Minor Mixed-Use District).

#### Proposal

The applicant is Horizons Adult Day Care Health, which has operated an Adult Day Health Center at 1415 East 8<sup>th</sup> Street since 2001. The existing facility has a Conditional Use Permit (CUP) for the use, which was issued in the year 2000. The applicant has outgrown their facility and is looking to relocate to a larger building. The project site is large enough to accommodate the growing business, but is not zoned for such a use.

As part of the 2011 Land Use Update a new Land Use Code was adopted, which changed the allowable uses throughout the City. Although Adult Day Health Care facilities would generally still be permitted under the umbrella of medical uses – typically allowed in the Institutional zone – the use is no longer specifically allowed anywhere in the City. This was not intentional, but was more likely an accidental omission. The applicant wishes to amend the Land Use Code to add the use into the allowable use matrix for the Mixed-Use zones (NCMC 18.24.050).

#### <u>Analysis</u>

Adult Day Health Care (ADHC) facilities were previously permitted in all of the commercial zones in the City subject to a Conditional Use Permit, including at the subject property, which was previously zoned CG (General Commercial). The 2011 Land Use Update changed the zoning designations of most of the commercial zones to either a Mixed-Use district or corridor zone. This was intended to allow for high-density residential and mixed commercial-residential projects. No change in the commercial nature of these zones was intended. In addition, ADHC's have recently been interpreted as residential serving commercial uses in the Downtown Specific Plan, whose zones are typically Mixed-Use in nature.

Based on the recent interpretation and the apparent omission of ADHC's from the Land Use Code, staff is supportive of ADHC facilities being permitted in the Mixed-Use zones (MXC-1, MXD-1, MXC-2, and MXD-2), subject to a CUP as before. This will allow for discretionary review of the use on a case-by-case basis, which would include analysis of traffic, vehicle parking, and other potential impacts.

This request is for the Planning Commission to consider the initiation <u>only</u> of the proposed Municipal Code Amendment. The direction from the Commission at this time does not commit the Planning Commission to the amendment or any associated project that may be submitted in the future. If directed, staff will return to Planning Commission for a recommendation as to the proposed Municipal Code Amendment at a future hearing. At that time, an application for a Conditional Use Permit for the proposed Adult Day Health Care facility will likely be submitted concurrently.

If directed to return to the Planning Commission, staff will analyze, among other things, the consistency of the proposed Municipal Code Amendment with the General Plan and begin the necessary environmental studies.

#### Summary

The proposed use was conditionally-allowed in this location prior to the most recent Land Use Update. Only accidental omission from the most recent Land Use Code has changed this allowance. Allowing the use (subject to a CUP) would be consistent with other residential serving commercial uses in the Mixed-Use zones. The requirement for a Conditional Use Permit would allow analysis of potential impacts to ensure appropriate placement of such businesses. Additional studies regarding traffic, parking, etc. would be required or conditioned on a case by case basis.

# **Options**

- Initiate proceedings to amend Municipal Code Section 18.24.050 to allow for an Adult Day Health Care Center in the Mixed-Use Zones (subject to a Conditional Use Permit); or
- File the report and deny the request.

MARTIN REEDER, AICP

Principal Planner

Mamain

BRAD RAULSTON
Executive Director



### CITY OF NATIONAL CITY - PLANNING DEPARTMENT 1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

# PLANNING COMMISSION STAFF REPORT

Title: TIME EXTENSION OF A CONDITIONAL USE

PERMIT FOR THE EXPANSION OF A CONVENIENCE STORE AT AN EXISTING GASOLINE SERVICE STATION AT 2945 HIGHLAND

AVENUE.

Case File No.: 2012-20 CUP, TE

Location: Northeast corner of Highland Avenue and E. 30<sup>th</sup> Street

Staff Report By: Michael Fellows – Planning Technician

Applicant /Owner: Eddy Brikho

Zoning Designation: MXC-2 (Major Mixed-Use Corridor)

Environmental Review: Not a project per CEQA

Staff Recommendation Approve the Time Extension for one additional year

# **BACKGROUND**

#### **Site Characteristics**

The subject property consists of two parcels located at the northeast corner of Highland Avenue and East 30<sup>th</sup> Street in the MXC-2 (Major Mixed Use Corridor) zone. The property totals 20,037 square-feet, providing 150 feet of frontage along Highland Avenue and 160 feet of frontage along 30<sup>th</sup> Street.

The property is currently developed with a gasoline service station with a small convenience store, an automotive repair garage, and four double-sided gas pumps covered by a 2,000 square-foot canopy.

# **History**

Planning Commission approved a Conditional Use Permit (CUP) in August of 2014 for the expansion of the convenience store from 489 square feet to 2,056 square feet. The expansion included conversion of a 1,362 square-foot auto repair

garage to retail space and a 202 square-foot addition. The project also included construction of a new trash enclosure, installation of a propane tank for retail sales, and relocation of a Healy vapor recovery tank.

In addition, the project included the construction of three commercial units totaling approximately 2,000 square feet. However, only the convenience store part of the request was subject to the CUP. Alcohol was not permitted to be sold on the premises without future modification of the CUP.

#### Request

The applicant is requesting that Planning Commission extend the previous approval since the approval included a Condition of Approval that the permit would become null and void if not exercised or extended within one year after adoption. The applicant stated that the delay was due to financing delays and contractor availability.

#### **Analysis**

Land Use Code Section 18.12.040 (F) allows the granting body (Planning Commission) to extend the approval for a period not to exceed one year. The applicant must show that the delay was due to causes outside of the applicant's control.

The expansion and remodeling of this property would have a positive impact on the business climate in the area. Consistent with General Plan policies, the expanded commercial area would provide services in demand by the community, and the additional businesses would create jobs for all income levels.

# **OPTIONS**

- 1. Extend the Conditional Use Permit for 12 months to August 4, 2016.
- 2. File the application and deny the request.

# **ATTACHMENTS**

- 1. Time Extension Request Application and Request Letter
- 2. Planning Commission Resolution 15-2014

3. Location Map

MICHAEL FELLOWS Planning Technician

M. Follows

BRAD RAULSTON Executive Director

#### RESOLUTION NO. 15-2014

# A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NATIONAL CITY, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT FOR THE EXPANSION OF A CONVENIENCE STORE AT AN EXISTING GAS STATION AT 2945 HIGHLAND AVENUE. CASE FILE NO.: 2012-20 CUP

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for the expansion of convenience store at an existing gas station at 2945 Highland Avenue, at a duly advertised public hearing held on August 4, 2014, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2012-20 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on August 4, 2014, support the following findings:

- That the proposed use is allowable within the applicable zoning district pursuant
  to a Conditional Use Permit and complies with all other applicable provisions of
  the Land Use Code, since a gasoline service station with a convenience store is
  a conditionally permitted use in the MXC-2 zone and since proposed plans
  comply with provisions of the Land Use Code.
- 2. That the proposed use is consistent with the General Plan and any applicable specific plans, since Policy LU 2.9 of the General Plan is to designate land for commercial, office, and service uses sufficient to meet future city needs.
- 3. That the design, location, size, and operating characteristics of the proposed activity would be consistent with the existing and future land uses in the vicinity, since the design, location, size, and operating characteristics of the existing gasoline service station and the expanded convenience store are consistent with characteristics of the MXC-2 zone.

- 4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, since the addition can be located on the lot with the required setbacks and parking is provided on the site.
- 5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, since the property is developed with an existing gasoline service station and the convenience store expansion and is not expected to create an appreciable increase in impacts including traffic, noise, or odor.
- 6. That the proposed project has been reviewed in compliance with the Caiifornia Environmental Quality Act, since staff has already determined that the proposed use is categorically exempt from environmental review pursuant to Class 3 Section 15303 (New Construction or Conversion of Small Structures), for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.

BE IT FURTHER RESOLVED that the application for Conditional Use Permit is approved subject to the following conditions:

#### General

- This Conditional Use Permit authorizes the expansion of an existing convenience store at the Mobil Gasoline Station located at 2945 Highland Avenue. Except as required by Conditions of Approval, all plans submitted for permits associated with the project shall conform with Exhibit A, case file no. 2012-20 CUP, dated 6/25/2014.
- 2. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filling fees for the San Diego County Clerk. Checks shall be made payable to the County Clerk and submitted to the National City Planning Department.
- 3. This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in the Land Use Code.
- 4. Before this Conditional Use Permit shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of the permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate said permit. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the Conditional Use Permit are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Executive Director prior to recordation.

#### Building/Fire

- Plans submitted for improvements must comply with the 2013 edition of the California Building, Electrical, Plumbing, Mechanical, and Fire Codes. If submitted in 2014, plans submitted for improvements must comply with the 2013 edition of the California Building, Electrical, Plumbing, Mechanical, and Fire Codes.
- 6. All Alterations to the existing and proposed expansion of the service station shall meet all current California Accessibility requirements.

### **Engineering**

- 7. The Priority Project Applicability checklist for the National Pollutant Discharge Elimination System (NPDES) is required to be completed and submitted to the Engineering Department. The checklist will be required when a project site is submitted for review of the City Departments. The checklist is available at the Engineering Department. If it is determined that the project is subject to the "Priority Project Permanent Storm Water BMP Requirements" and the City of National City Storm Water Best Management Practices of the Jurisdictional Urban Runoff Management Program (JURMP) approved Standard Urban Storm Water Mitigation Plan (SUSMP) documentation will be required prior to issuance of an applicable engineering permit. The SUSMP shall be prepared by a Registered Civil Engineer.
- 8. The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Poliutant Discharge Elimination System (NPDES) regulations which may require a Storm Water Pollution Prevention Plan (SWPPP) for the project. An approved SWPPP will be required prior to issuing of a construction permit.
- 9. All surface run-off shall be treated with an approved Standard Urban Runoff Mitigation Plan (SUSMP) Best Management Practice (BMP) for all Priority SUSMP projects. No runoff will be permitted to flow over the sidewalk. Adjacent properties shall be protected from surface run-off resulting from this development.
- 10. The property owner, or its successors and assigns shall be responsible for the maintenance, repair, or reconstruction of all irrigation and landscaping improvements installed within the public right-of-way. Sprinkler heads shall be adjusted so as to prevent overspray upon the public sidewalk or the street. The proposed sprinkler heads shall be installed behind the sidewalk, and the irrigation mainline upon private property only, as required by the City. The property owner or, its successors or assigns, shall be remove and relocate all irrigation items from the public right-of-way at no cost to the City, and within a reasonable time frame upon a written notification by the City Engineer.
- 11.A grading and drainage plan shall be submitted showing all of the proposed and existing on-site and off-site improvements. The plan shall be prepared in accordance with the City's standard requirements by a Registered Civil Engineer. All necessary measures for prevention of storm water pollution and hazardous material run-off to the public storm drain system from the proposed parking lot or development shall be implemented with the design of the grading. This shall include

the provision of such devices as storm drain interceptors, clarifiers, or filters. Best Management Practices for the maintenance of the parking lot, including sampling, monitoring, and cleaning of private catch basins and storm drains, shall be undertaken in accordance with the National Pollution Discharge Elimination System (NPDES) regulations. A private storm water treatment maintenance agreement shall be signed and recorded. A checklist for preparation of the grading plan/drainage plan is available at the Engineering Department.

- 12. The existing and proposed curb inlet on property shall be provided with a "No Dumping" signage in accordance with the NPDES program.
- 13.A sewer permit will be/may be required. The method of sewage collection and disposal shall be shown on the grading/drainage plan. Any new sewer lateral in the City right-of-way shall be 6 inch in size with a clean out. A sewer stamp "S" shall be provided on the curb to mark the location of the lateral.
- 14. Separate street and sewer plans prepared by Registered Civil Engineer, shall be submitted showing all of the existing and proposed improvements. The plans shall be in accordance with City requirements.
- 15.A soils engineering report shall be submitted for the Engineering Department's review, after Planning Commission approval. The report shall address the stability of all of the existing and proposed slopes on the property. It shall also address the adequacy of the building pads, the criteria for any new retaining wall design, the maximum allowable soil bearing pressure and the required pavement structural sections for the proposed streets, the parking areas, and the driveways. As a minimum, the parking lot pavement sections shall be 2 inch A.C. over 4 inch Class II aggregate base. The street pavement sections shall be in accordance with National City modified Standard Drawing G-34. All soils report findings and recommendations shall be part of the Engineering Department requirements.
- 16. The deteriorated portions of the existing street improvements along the property frontages shall be removed and replaced. Specifically 250 square feet of sidewalk, 260 square feet of driveway apron and 10 linear feet of curb, & gutter.
- 17. All existing survey monuments, including any benchmark, within the boundaries of the project shall be shown on the plans. If disturbed, a licensed land surveyor or civil engineer shall be shown on the plans. If disturbed, a licensed land surveyor or civil engineer shall restore them after completion of the work. A Corner Record shall be filed with the County of San Diego Recorder. A copy of the documents filed shall be given to the City of National City Engineering Department as soon as filed.
- 18.A permit shall be obtained from the Engineering Department for all improvement work within the public right-of-way, and any grading construction on private property.

- 19. Street improvements shall be in accordance with the City Standards. All missing street improvements shall be constructed. Abandoned driveway aprons shall be replaced with curb, gutter, and sidewalks.
- 20.A cost estimate for all of the proposed grading, drainage, street improvements, landscaping and retaining wall work shall be submitted with the plans. A performance bond equal to the approved cost estimate shall be posted. Three percent (3%) of the estimated cost shall also be deposited with the City as an initial cost for plan checking and inspection services at the time the plans are submitted. The deposit is subject to adjustment according to actual worked hours and consultant services.

#### Planning

- 21.A detailed landscape and underground irrigation plan, including plant species, methods of planting, etc. shall be submitted for review and approval by the Planning Department prior to building permit issuance. The landscape plan shall reflect the use of drought tolerant planting and water conserving irrigation devices, as well as details for hardscape on site, including parking lot striping.
- 22. Building permit plans shall show details of the trash enclosure, Healy vapor recovery system and propane tank screen walls. Details shall include finish materials and colors, including the doors and non-combustible trash enclosure cover. All screening walls must be of sufficient height to completely screen the tanks.
- 23. Any future changes to the gasoline canopy shall be consistent with the architectural design, materials, and colors of the proposed building.
- 24. Vehicle circulation patterns shall be subject to future review and potential modification (removal of curb cuts) if problems related to pedestrian ingress/egress are noted as a result of the proposed expansion.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

# **CERTIFICATION:**

This certifies that the Resolution was adopted by the Planning Commission at their meeting of August, 2014, by the following vote:

AYES: Garcia, Baca, Bush, Pruitt, Flores, Dela Paz

NAYS: None

ASSENT: ALVATAGO

ABSTAIN: NONE

**CHAIRMAN** 



PLANNING DIVISION
1243 NATIONAL CITY BOULEVARD
NATIONAL CITY, CA 91950
(619) 366-4310
planning@nationalcityca.gov

STARE ONLY	
Case Number_ 2012 - 20 CVI T.F	
Filing Fee \$ 1,427. 50 Receipt No	
Date Received By M 7	
Zoning Designation MXC-Z U.G	
New or Modification Extension	
Related Cases	
E.A.F. Required Fee	

DISCRETIONARY PERM	IIT APPLICATION	TOA
Amendment	Planned Development Permit	
Annexation	Planned Unit Development	19457
Approval of Plans	Specific Plan	09452
Certificate of Compliance	Street/Alley Vacation	
Coastal Development Permit	Substantial Conformance	150
Code Amendment	Tentative Parcel Map	CUP
Conditional Use Permit	Tentative Subdivision Map	201
Historic Site Designation	Time Extension	100
Interpretation	Variance	
Initiation	Zoning Map Change	
SUBJECT PROPERTY ADDRESS:		
Address: 2945 Highland Avenue National City CA 91950 APPLICANT:	APN;	
Name: <u>CDOY Briths</u> Signature: (Please type or print)	Date:	412014
Address: 2945 Highcand Avenue	National City CA	91950
Phone No. 619-654-3815 Fax No. 619-477-3		
PROPERTY OWNER(S) of all property included in this	s annlication:	
(Attached extra sheets if necessary).	application.	
Name: DD/ Brikho Signature: (Please type or print)	But 8-1	11-15
Address:Same	Date.	
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# PROPERTY AND PROJECT DESCRIPTION

1.	PROPERTY DESCRIPTION	(fill in blanks)			
	Exis	sting	Proposed		
No	of parcels			<del></del>	
	of units/suites				
Βι	ilding/suite square footage				
Pa	rking spaces – covered				
Pa	rking spaces – uncovered		-		
	. 2				
2.	PROJECT DESCRIPTION (ie			<del>-                                    </del>	
•	Purpose of request	<ul> <li>List license/perm</li> </ul>		Number of bedrooms	
•	Number of employees	by governmental	agencies •	Building height	
•	Hours of operation	<ul> <li>Live entertainme</li> </ul>	nt / karaoke 🔹	Setbacks	
•	Days of week open to public	<ul> <li>Types of alcohol</li> </ul>	sold on site •	Private open space per	r unit
•	Neighboring uses	<ul> <li>Unit square foots</li> </ul>		Common open space	
		-			
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Discretionary Approval Applications Revised October 19, 2010

